



CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE

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FOR CDLAC USE ONLY

Application No. _____

Analyst: _____

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THE CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE and THE CALIFORNIA INDUSTRIAL DEVELOPMENT FINANCING ADVISORY COMMISSION

APPLICATION FOR AN ALLOCATION OF THE STATE CEILING ON QUALIFIED PRIVATE ACTIVITY BONDS FOR A SMALL-ISSUE INDUSTRIAL DEVELOPMENT BOND PROJECT

APPLICANT: _____

PROJECT SPONSOR (Borrower): _____

PROJECT NAME: _____

We, the undersigned, hereby make Application to The California Debt Limit Allocation Committee ("CDLAC") and The California Industrial Development Financing Advisory Commission ("CIDFAC") for the purpose of providing a Small-Issue Industrial Development Bond Project (SIIDBP), as described herein.

We agree it is our responsibility to provide two original complete Applications that bear original signatures and two duplicate copies of the Application, accompanied by one check made payable to CDLAC in the amount of **\$600.00** and a completed CDLAC Performance Deposit Certification form and one check made payable to CIDFAC in the amount of **\$1,250.00**. We understand that succinct answers providing the requested information are required. We understand that if additional space is required, each additional page will be clearly labeled. We agree that it is also our responsibility to provide all information that is deemed by CDLAC and CIDFAC to be necessary to evaluate our Application. We understand that CDLAC and CIDFAC may verify the information provided and analyze materials submitted as well as conduct their own investigation to evaluate the Application. We recognize that we have a duty to inform CDLAC and CIDFAC when any information in the Application or supplemental materials is no longer true and to supply CDLAC and CIDFAC with accurate information.

We represent that we have read all Government Code sections relevant to the CDLAC Regulations Implementing the Allocation of the State Ceiling on Qualified Private Activity Bonds ("Regulations"). We acknowledge that CDLAC recommends that we seek advice from bond counsel, tax attorney and/or tax advisor on matters of eligibility and compliance for tax-exempt bond financing under federal law and regulations.

We acknowledge that bonds issued by a local governmental entity on behalf of a Project Sponsor must receive approval from the California Industrial Development Financing Advisory Commission (CIDFAC) prior to receiving a Qualified Private Activity Bond Allocation. We represent that we have read the Regulations promulgated by CIDFAC and that the proposed Project is in compliance with those requirements. We certify that the Application has been filed with CIDFAC for its consideration and approval. We understand that the Allocation from CDLAC is contingent upon the prior approval from CIDFAC.

We understand that at the time of bond closing, additional sums of money will be owing to CDLAC and CIDFAC other than the amounts specified on page 1 of this Application. We represent that we have read the pertinent sections of the CDLAC Regulations and CIDFAC Regulations regarding fees.

We acknowledge that all materials and requirements are subject to change by enactment of federal or state legislation.

In carrying out the development and operation of the proposed project, we agree to comply with all applicable federal and state laws regarding unlawful discrimination and will abide by all CDLAC and CIDFAC program requirements.

We acknowledge that our Application will be evaluated based on federal and state statutes and regulations pertaining to Qualified Private Activity Bonds for Small-Issue Industrial Development Projects and the CDLAC Regulations, which identify the minimum requirements, evaluation criteria, priorities and other standards which will be employed to evaluate Applications.

We acknowledge that the information submitted to CDLAC and CIDFAC in this Application or supplemental thereto may be subject to the Public Records Act or other disclosure. We understand that CDLAC and CIDFAC may make such information public. CDLAC and CIDFAC will maintain as confidential, certain financial information, but cannot guarantee confidentiality.

The Project Sponsor declares under penalty of perjury that the information contained in the Application, exhibits, attachments, and any further or supplemental documentation is true and correct to the best of its knowledge and belief. The Applicant declares that the information contained in PARTS I and II of the Application is true and correct to the best of its knowledge and belief, and as to information contained in the Application, exhibits, attachments, and further or supplemental documentation provided by the Project Sponsor, the Applicant is not aware of any information that would cause the Applicant to believe that the Application contains any untrue information or omits to state any material information. We understand that misrepresentation may result in the cancellation of an Allocation, and other actions which CDLAC is authorized to take.

The Project Sponsor certifies that the project can be completed within the development budget and the development timetable set forth in our Application. The Project Sponsor further certifies that the proposed project can be operated in the manner proposed within the operating budget set forth in the Application.

The Applicant certifies that it is in compliance with all applicable statutes, laws, rules, and regulations necessary for the transaction of its business.

We agree to hold CDLAC and CIDFAC, their members, officers, agents, and employees harmless from any matters arising out of or related to the awarded Allocation. We acknowledge that all Application materials are to be delivered to the address below, **by 4:00 p.m.** on the appropriate date at the following address:

The California Debt Limit Allocation Committee
915 Capitol Mall, Room 311
Sacramento, CA 95814

Signature of Applicant's Senior Official

Signature of Project Sponsor

Print Name

Print Name

Title

Title

Date_____

Date_____

Additional information may be obtained by accessing the Committee's web site at <http://www.treasurer.ca.gov/cdlac> or by calling the Committee at (916) 653-3255.

The California Debt Limit Allocation Committee complies with the Americans with Disabilities Act (ADA) by ensuring that the facilities are accessible to persons with disabilities, and providing this notice and information given to the members of the California Debt Limit Allocation Committee in appropriate alternative formats when requested. If you need further assistance, including disability-related modifications or accommodations, you may contact the California Debt Limit Allocation Committee at (916) 653-3255 or TDD (916) 654-9922.

THE CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE
and
THE CALIFORNIA INDUSTRIAL DEVELOPMENT FINANCING ADVISORY COMMISSION
APPLICATION FOR AN ALLOCATION OF THE STATE CEILING ON QUALIFIED PRIVATE
ACTIVITY BONDS FOR A SMALL-ISSUE INDUSTRIAL DEVELOPMENT BOND PROJECT

All references to federal statute are cited for information only. Bond Counsel must be consulted as the requirements are subject to change.

PART I – FINANCING TEAM INFORMATION

1. ISSUER (APPLICANT) OF BONDS

Name of Issuing Agency:
Name of Senior Official: Telephone: ()
Title of Senior Official: Fax: ()
Mailing Address: E-Mail:
City:
State:
Zip Code:

Issuer's Federal Identification No.:

2. PUBLIC JURISDICTION (jurisdiction in which proposed Project is located, if different from above)

Name of Jurisdiction:
Name of Contact Person:
Title of Contact Person: Telephone: ()
Mailing Address: Fax: ()
City: E-Mail:
State:
Zip Code:

3. ISSUER CONTACT (staff person who can answer questions regarding this application)

Name of Staff Person:
Title of Staff Person: Telephone: ()
Name of Agency (if different from #1 above): Fax: ()
Mailing Address: E-Mail:
City:
State:
Zip Code:

4. BOND COUNSEL

Name of Firm:
Name of Attorney: Telephone: ()
Mailing Address of Firm: Fax: ()
City: E-Mail:
State:
Zip Code:

5. BOND UNDERWRITER

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:

Telephone: ()
Fax: ()
E-Mail:

6. PRIVATE PLACEMENT AGENT (IF APPLICABLE)

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:

Telephone: ()
Fax: ()
E-Mail:

7. PRIVATE PLACEMENT BOND PURCHASER (IF APPLICABLE)

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:

Telephone: ()
Fax: ()
E-Mail:

8. CREDIT ENHANCEMENT PROVIDER

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:

Telephone: ()
Fax: ()
E-Mail:

9. FINANCIAL ADVISOR/CONSULTANT

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:

Telephone: ()
Fax: ()
E-Mail:

10. TRUSTEE (for CIDFAC purposes)

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:

Telephone: ()
Fax: ()
E-Mail:

11. OTHER PARTICIPANTS

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:

Telephone: ()
Fax: ()
E-Mail:

PART II – ALLOCATION/BOND ISSUE INFORMATION

1. Amount of allocation requested: \$
2. Proposed date of bond issuance and proposed terms:
3. Date of inducement:

Attach (**Attachment “A”**) a copy of the adopted resolution. (See Section 5033(5) of CDLAC Regulations.)

4. Date of TEFRA approval:

Submit (**ATTACHMENT “B”**) proof of TEFRA (public approval process required by 26 U.S.C. Section 147(f)).
(See Section 5033(6) of the CDLAC Regulations.)

For an open application process, see time lines posted on the Committee’s website.

5. Indicate whether the bonds will be variable or fixed rate:

If bonds carry a variable rate:

- a. Identify the index:
- b. How frequently will the bonds be re-marketed and by whom?
- c. Is there a feature to allow a conversion to a fixed rate at some time in the future? If so, under what conditions and when?

6. Indicate whether bonds will be sold in a public offering or in a private placement:

7. For CIDFAC purposes, indicate if the bond issuance will be used to refund an outstanding issue:

8. Briefly describe credit enhancement structure or private placement transaction (include, at a minimum, the construction or interim financing, if applicable, the amount, closing deadlines, security/collateral provided, guaranties, anticipated closing date, etc.):

Attach (**Attachment “C”**, if more than one commitment, label Attachments in sequential order as **“C-1, C-2”**, etc.) the credit enhancement commitment or the commitment to purchase privately placed bonds. (See Sections 5061-5064 of the CDLAC Regulations.)

9. Anticipated bond rating (see Section 5061 of the CDLAC Regulations):

<u>Rating</u>	<u>Date Rating Anticipated</u>	Fitch
Moody's		
Standard & Poor's		
Other		

10. Indicate the amount of taxable debt that will be issued in conjunction with the proposed tax-exempt bonds (See Section 5370(g) of the CDLAC Regulations. If applying for points for taxable debt, this will be a requirement imposed on the allocation):

Attach (**Attachment “D”**) documentation demonstrating that the proceeds of the Taxable Debt will be used towards project expenses directly related to job creation or Community Economic Need.

PART III – PROJECT SPONSOR INFORMATION

1. Please answer the following questions for both the Project Sponsor (“Borrower”) and the user of the facility, if different:

A. Official business name, address, telephone number, fax number, e-mail address and contact person:

BORROWER:

USER:

B. Any “Doing Business As” names:

C. Address of Project Sponsor’s headquarters, if different from address in “A” above:

D. Other operating locations in California:

E. The legal structure of the Project Sponsor (i.e. corporation, partnership or sole proprietorship):

Complete the appropriate section below:

Corporation

i) Officers of the Corporation

ii) Major Shareholders (10% or more)

iii) Date and place of incorporation:

iv) For publicly held corporations, stock exchange on which the company is listed. If traded over the counter or on NASDAQ, please indicate the market makers.

Partnership

i) Names and addresses of general and limited partners, and share of ownership.

ii) Date of partnership.

Sole Proprietorship

i) Date and place of establishment.

- F. Federal Tax Identification Number for Project Sponsor and user, including IRS Office where tax returns are filed:
 - G. Standard Industrial Code (SIC) Number or the North American Industry Classification System (NAICS) of Project Sponsor and user:
 - H. Description of principal products and/or services:
 - I. Major customers of firm's products, identifying specific companies and types of customers (i.e., discount retailer):
 - J. Description of present physical facilities, including size and use of facility:
 - K. Other tax-exempt financings currently outstanding:
2. If the Project Sponsor or user is an owner, subsidiary or affiliated directly or indirectly with any other business or organization, indicate the relationship.
 3. Attach (**Attachment "E"**) the Financial Statements of the Project Sponsor for the past three years. For public corporations, these should be the latest 10Ks; for private companies, the highest level (i.e. highest level refers to compilation or audited financial statement) of financial statements available. **[This information will be reviewed by the California Industrial Development Financing Advisory Commission.]**

For CIDFAC purposes, indicate if the Project Sponsor considered other issuers that could have been used for this financing? If no, why not? If so, explain why the Project Sponsor prefers to use the Issuer identified in this Application.

PART IV – PROJECT INFORMATION

1. Project Name:

2. Project Street Address:

City:

County:

Zip Code:

(The zip code must be included. If the project site does not yet have a street address, contact the local United States Post Office for an approximate zip code.)

Federal Congressional District in which the proposed Project is located:

State Senate District in which the proposed Project is located:

State Assembly District in which the proposed Project is located:

Census Tract in which the proposed Project is located:

3. Attach (**Attachment “F”**) a description of current improvements on the site, including age, current use and size; include pictures. If this site is currently vacant, please describe prior use:

4. Indicate by a **“YES”** or **“NO”** that the Project Sponsor currently owns the Project site:

If Project Sponsor does not own the site, attach (**Attachment “G”**) a description of escrow agreement, lease agreement, options or other evidence of the Project Sponsor’s plan to lease the site or acquire the site.

5. Proposed Project Description including all of the following (**Attachment “H”**):

- A. Description of project, including whether it constitutes a renovation or new construction, the number of square feet to be constructed/renovated, the type of equipment being purchased and any other pertinent information.
- B. Estimated time of construction or renovation, including start date and completion date.
- C. Principal products, uses and activities of project, including SIC or NAICS Code of activity to be financed.
- D. Estimated useful life of buildings and/or equipment.
- E. Brief narrative describing purpose of project, explaining the business rationale and economic benefits to be achieved from the project.
- F. Brief narrative indicating how the project meets the eligibility qualifications as defined by Section 91503 of the California Industrial Development Financing Act.

6. **Costs of the Project.** State the total costs associated with the acquisition of the site and construction of the proposed project, including any utilities and proposed machinery and equipment purchases. Separate the costs based on their financing sources: the left column should total the bond amount; the sum of both columns should equal the total project costs.

	To Be Paid From Bond Proceeds	To Be Paid From All Other Sources
Acquisition of Land ¹	\$	\$
Acquisition of Existing Buildings	\$	\$
Fees and Other Charges Related to Sale	\$	\$
Rehabilitation of Existing Building(s)	\$	\$
Site Preparation	\$	\$
Construction of New Building(s)	\$	\$
Utilities Connection	\$	\$
Acquisition and Installation of Used Equipment	\$	\$
Acquisition and Installation of New Equipment	\$	\$
(a) Invoice	\$	\$
(b) Installation	\$	\$
(c) Other (please explain)	\$	\$
Engineering/Architecture	\$	\$
Legal, Permits, etc.	\$	\$
Bond Issuance Expenses ² (including discount)	\$	\$
Letter of Credit or Bond Insurance Fee	\$	\$
Interest During Construction	\$	\$
From to		
Interest Income During Construction	\$	\$
From to		
Other (please explain)	\$	\$
	Total Bond Amount	Total Other Costs
	\$	\$

1 Only 25% of bond proceeds may be applied to the acquisition of land. This cost includes the cost of demolition of any existing buildings.

2 Total of issuance expenses paid from bond proceeds cannot exceed 2% of face amount of bonds.

NOTE: Project costs may not include working capital, moving expenses, inventory or assumption, repayment or refinancing of existing indebtedness other than construction loans.

7. Answer **“YES”** or **“NO”** to indicate if completion of the project will contribute to job displacements resulting from site clearance or the demise of competing firms. If **“YES”**, explain below:
8. Answer **“YES”** or **“NO”** to indicate if construction of the project or completion of the project, will have any adverse environmental impact, including additional waste disposal. If **“YES”**, please describe below:
9. Please estimate types and costs of new public services or infrastructure improvements required by the project, including utility upgrades and street improvements, and provide the estimates below:

10. Relocation

If financing is required for relocation of a facility within the State of California, attach (**Attachment “T”**) documentation that contains all of the following information (A through C):

- A. The relocation is due to one of the following:
 - i. An inadequacy of the existing facility.
 - ii. A significant change in the company’s operations that would require a different location.
 - iii. A building moratorium where the existing facility is located.
 - iv. Expiration of the existing lease and proof that it cannot be renewed on reasonable economic terms.
 - v. An economic need to move closer to the company’s customers or supplies.
 - vi. Inability to find adequate expansion space in the existing community.
 - vii. Other.
- B. Whether the Project Sponsor or user will retain its current employees at the new facility. If so, describe the steps the company will take to mitigate the effects of the relocation on its current employees. Examples of measures include relocation expenses or transportation assistance.
- C. Whether the relocation is necessary to prevent the relocation of substantial operations of the company outside of the State, or the abandonment of substantial operations of the company. If so, document.

PART V – MINIMUM REQUIREMENTS

Applicants are advised to read Section 5372 of the CDLAC Regulations regarding Small-Issue Industrial Development Bond Projects when answering the following questions.

1. Attach (**Attachment “J”**, if more than one, label each attachment in sequential order as **“J-1, J-2”** etc.) evidence of all required local approvals or permits relating to the project (i.e. conditional use permits, zoning variances, etc.) from federal, state or local planning agencies other than ministerial approvals, in one or more of the following forms (identify the form of evidence by responding “yes” to the appropriate item):
 - A. Copies of local land use approvals, which allow the discretion of local elected officials to be applied (General Plan amendments, rezoning, conditional use permits, etc.):
 - B. Documentation by a local agency that clearly demonstrates the agency’s intentions to acquire the Project Site, or a portion of the Project Site, through eminent domain proceedings:
 - C. A certification, using the attached form provided by CDLAC (if used, the form should be labeled **Attachment “J”**) from the jurisdiction in which the proposed Project is located, evidencing the status all required approvals/permits:

PART VI – EVALUATION CRITERIA

Applicants are advised to read Section 5370(a)-(h) of the CDLAC Regulations regarding Small-Issue Industrial Development Bond Projects when answering the following questions.

1. Community Economic Need
(Section 5370 a of CDLAC Regulations)

Answer “YES” or “NO” to the following:

- A. The proposed project is located in a community with an unemployment rate equal to or greater than 125% of the statewide average based on the California Employment Development Department’s most recent annual average for sub-county areas. (See Section 5370(a)(1) of CDLAC Regulations):

CDLAC staff will perform the calculations based on the preceding year unemployment rate of the county sub area in which the proposed Project will be located compared to the statewide unemployment rate. The sub county unemployment rate and the statewide unemployment rate for the preceding year may be found at the state Employment Development Department website

<http://www.calmis.cahwnet.gov>.

- B. The proposed project is located in a community with a median family income of less than 80% of the statewide average based on the most recent census data available for cities or Census Designated Places. (If no city or Census Designated Place level data is available, or if the Applicant chooses to identify a project benefit area that is smaller than a city or Census Designated Place, such as census tract or tracts, smaller areas will be used. See Section 5370(a)(4) of CDLAC Regulations):

CDLAC staff will perform the calculations based on the most recent data from the United States Bureau of the Census, the estimated median family income of the cities or Census Designated Places.

- ~~C. The proposed project is located in a Special Designation Area. (See Sections 5000 and 5370(a)(3) of CDLAC Regulations):~~

- CD. The proposed project is located in a community with a poverty rate equal to or greater than 110% of the statewide average based on the most recent census data available for cities or Census Designated Places. (If no city or Census Designated Place level data is available, or if the Applicant chooses to identify a project benefit area that is smaller than a city or Census Designated Place, such as a census tract or tracts, smaller geographic areas will be used. See Section 5370(a):

CDLAC staff will perform the calculations based on the poverty rate of each census tract within a one-mile radius of the Project site compared to the statewide poverty rate. The census tracts poverty rates and the statewide poverty rate may be found at the federal Census Bureau website <http://www.census.gov>.

Please list all of the census tracts that are within a one-mile radius of the Project:

2. Job Creation / Retention (Section 5370(b) of CDLAC Regulations). Using **Attachment “K”**, provide the Project Sponsor’s or User’s current figures on employment payroll and sales volume and the best estimate of these figures at two years after completion of project. In addition, please complete the Project Site section on **Attachment “K”**. All responses are to be based on average monthly hours worked.
3. Weighted average hourly wage (Section 5370(e) of CDLAC Regulations). Using **Attachment “K”**, calculate the average hourly wage for all positions to be created or retained by the project. The average hourly wage will be determined by (1) multiplying the hourly wage for each category by the number of jobs to be created or retained within each job category, (2) adding together the resulting weighted wage totals; and (3) dividing the grand total by the total number of jobs to be created or retained by the proposed project.

4. Please provide the most recent average hourly general manufacturing wage for the Metropolitan Statistical Area:
5. Welfare-to-Work Plan (Section 5370(c) of CDLAC Regulations)

Attach (**Attachment “L”**) a letter or other documentation from a local governmental agency, educational agency, or non-profit organization evidencing the Project Sponsor’s current or planned participation in a Welfare-to-Work plan. The letter or documentation, at a minimum, should include the manner and extent of the Project Sponsor’s participation in a Welfare-to-Work Plan.

6. Payment of Employee and Dependent Medical, Dental, Vision, and Child-Care Costs (Section 5370(d) of CDLAC Regulations)

Attach information documenting the average monthly payment of the Project Sponsor towards the cost of employee and dependent medical, vision, and dental benefits. The documentation must include the following:

- A. A letter or statement (**Attachment “M1”**. If more than one, label each attachment in sequential order as “**M-1-1”**, “**M-1-2”** etc.) from each of the Project Sponsor’s medical, vision, and dental benefits provider(s) certifying the total amount paid by the Project Sponsor for each type of benefit; and
- B. A completed Small-Issue Industrial Development Bond Health Benefits Worksheet (**Attachment “M2”** provided by CDLAC and attached to the Application) from the Project Sponsor showing the total net aggregate amount paid towards the provision of these benefits (resulting from adding together the total net dollar amount for each benefit provided) divided by the total number of employees participating in the plan(s), and the resulting average dollar amount of coverage per employee.

7. Land Use/Energy Efficiency (Section 5370(f) of CDLAC Regulations)

A. Land Use

Applications will be evaluated based on the information provided in Attachment “**F**” and “**H**” required by Items #3 and #5 in PART IV of this Application.

B. Public Transit Corridor/Transportation System Management Plan

Submit one of the following:

- i. If the proposed Project is sited within a Public Transit Corridor as defined in Section 42 of the CDLAC Regulations, attach (**Attachment “N”**) a map demonstrating that the proposed project is within a Public Transit Corridor; or
- ii. If, at the time of application the Project Sponsor has an adopted transportation management plan, attach (**Attachment “N”**) a narrative of the plan. The narrative, at a minimum, should include the number of employees participating in the plan, an estimation of the total driving miles saved through the plan, and the participation of local transportation/congestion management agencies in designing the plan.

C. Energy Efficiency (Section 5370 h of CDLAC Regulations)

If the proposed Project will utilize designs, materials, or techniques to reduce energy usage, attach (**Attachment “O”**) a letter from a utility company, energy efficiency consultant or equipment manufacturer certifying that such designs, materials, or techniques will result in energy savings of at least 15% on the part of the Project Sponsor when compared to either of the following benchmarks:

- i. For construction or rehabilitation, the most recent California Energy Commission Energy Efficiency Standards for Residential and Non-Residential Buildings; or
- ii. For equipment to be purchased and installed that will replace existing equipment, the current per energy unit output of equipment currently in use by the Project Sponsor.
- iii. For types of equipment to be purchased and installed that are currently not in use by the Project Sponsor or user, a commonly accepted industry efficiency standard.

8. Leverage (Section 5370(g) of CDLAC Regulations)

Applications will be evaluated based on the information provided in **Attachment “D”** required by Item #12 in PART II of this Application.

PART VII – LEGAL STATUS OF PROJECT SPONSOR AND DEVELOPER

If a separate sheet is used to respond to the following questions, the sheet shall be labeled **Attachment Y**.

~~Disclosures should include civil or criminal cases filed in state or federal court; civil or criminal investigations by local, state, or federal law enforcement authorities; and enforcement proceedings or investigations by local, state or federal regulatory agencies. The information provided must include relevant dates, the nature of the allegation(s), charters, complaint or filing, and the outcome. For a publicly-traded company, the relevant sections of the company's 10K, 8K, and 10Q most recently filed with the Securities and Exchange Commission may be attached in response to question #1. With respect to a response for question #2, previous 10K, 8K, and 10Q filings of the company may be attached if applicable.~~

~~1. Disclose material information relating to any legal or regulatory proceeding or investigation in which the project sponsor is or has been a party and which might have a material impact on the financial viability of the project or the project sponsor. Such disclosures should include any parent, subsidiary, or affiliate of the project sponsor that is involved in the management, operation, or development of the project.~~

1. Financial Viability

Disclose any legal or regulatory action or investigation that may have a material impact on the financial viability of the project or the Project Sponsor and Developer. The disclosure should be limited to actions or investigations in which the applicant or the applicant's parent, subsidiary, or affiliate involved in the management, operation, or development of the project has been named a party.

Response (Not Applicable is an unacceptable response):

~~2. Disclose any civil, criminal, or regulatory action in which the project sponsor, or any current board members (not including volunteer board members of non-profit entities), partners, limited liability corporation members, senior officers, or senior management personnel has been named a defendant in such action in the past ten years involving fraud or corruption, or matters involving health and safety where there are allegations of serious harm to employees, the public, or the environment.~~

2. Fraud, Corruption, or Serious Harm

Disclose any legal or regulatory action or investigation involving fraud or corruption, or health and safety where there are allegations of serious harm to employees, the public, or the environment. The disclosure should be limited to actions or investigations in which the Project Sponsor and Developer or the Project Sponsor's and Developer's current board member (except for volunteer board members of non-profit entities), partner, limited liability corporation member, senior officer, or senior management personnel has been named a defendant within the past ten years.

Response (Not Applicable is an unacceptable response):

Disclosures should include civil or criminal cases filed in state or federal court; civil or criminal investigations by local, state, or federal law enforcement authorities; and enforcement proceedings or investigations by local, state or federal regulatory agencies. The information provided must include relevant dates, the nature of the allegation(s), charters, complaint or filing, and the outcome. For a publicly-traded company, the relevant sections of the company's 10K, 8K, and 10Q most recently filed with the Securities and Exchange Commission may be attached in response to question #1. With respect to a response for question #2, previous 10K, 8K, and 10Q filings of the company may be attached if applicable.

PART VIII – SELLER OF PROPERTY INFORMATION

This PART is to be completed if bond proceeds will finance the acquisition of property.

1. Name of Property Seller:

Business Street Address:

City:

State:

Zip code:

Telephone number: ()

2. Principals, business addresses and telephone numbers of each partner comprising the Seller:

3. When is sale of property expected to close escrow?

SIIDBP APPLICATION DOCUMENTS CHECKLIST

This checklist is provided to ensure that a completed application package is filed with CDLAC and CIDFAC. If an attachment does not apply, please write N/A in the space provided.

Your application package must contain the following:

Check Box	Document Description	Attachment Name
	\$600 initial filing fee made payable to CDLAC (See Section 5033(b)(2) of CDLAC Regulations)	N/A
	\$1,250 application fee made payable to CIDFAC	N/A
	<u>Signed</u> Performance Deposit Certification Form (See Section 5033(b)(1) of CDLAC Regulations)	N/A
	Two (2) Completed and <u>signed</u> application forms	N/A
	Adopted Inducement Resolution (See Section 5033(5) of CDLAC Regulations.)	A
	Evidence of TEFRA hearing (either adopted resolution or certification) (See Section 5033(6) of CDLAC Regulations.)	B
	Evidence of Credit Enhancement or Bond Purchase Commitment (See Section 5061 of CDLAC Regulations.)	C
	Evidence of Taxable Debt (Section 5370(g) of CDLAC Regulations)	D
	Financial Statements for the past three years	E
	Description of current improvements	F
	Evidence of ownership	G
	Description of proposed Project	H
	Evidence of relocation documentation	I
	Evidence of permits and approvals documentation (Section 5370 of CDLAC Regulations)	J
	Job Creation / Job Retention (Section 5370(b)(1) of CDLAC Regulations)	K
	Evidence of welfare-to-work plan participation (Section 5370(c) of CDLAC Regulations)	L
	Evidence of payment of employee benefits (including the Small-Issue Industrial Development Project Health Care Benefits Worksheet) (Section 5370(d) of CDLAC Regulations)	M1, M2
	Evidence of Public Transit Corridor/Transportation Plan (Section 5370(f) of CDLAC Regulations)	N

	Evidence of Energy Efficiency (Section 5370(h) of CDLAC Procedure)	O
	Legal Status of Applicant and Project Sponsor	P
	Two (2) duplicate copies of the Application with Attachments [NOTE: Any subsequent mailings of additional application materials should be in <u>duplicate.</u>]	DUPLICATE

ATTACHMENT J

THE CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE

VERIFICATION OF ZONING AND LOCAL APPROVALS

PROJECT NAME:

PROJECT ADDRESS:

ASSESSOR PARCEL NUMBER (S):

PLANNING FILE NUMBER:

PROJECT CITY:

The entire parcel upon which the above-described project will be located is zoned _____, which allows for industrial development of no greater than _____ square feet per acre or floor area ratio (FAR). Please indicate which measure is being used.

1. Does the project currently comply with all applicable local land use and zoning ordinances (If no, please explain)?

2. Please describe the current zoning allowed for the site.

3. Has the project sponsor (developer) obtained all local approvals (other than a building permit) necessary to begin construction (If no, please explain)?

4. Are there any outstanding approvals required by the Planning Commission, City Council, or Board of Supervisors for land use entitlements (If yes, please explain)?

5. Are you aware of any state approvals which may be required (If yes, please explain)?

DATED: _____

STATEMENT COMPLETED BY: _____
(Please Print Name of Local Agency Representative)

SIGNATURE OF LOCAL AGENCY REPRESENTATIVE: _____

TITLE: _____

TELEPHONE: _____ FAX: _____ E-MAIL: _____

ATTACHMENT M2

SMALL-ISSUE INDUSTRIAL DEVELOPMENT BOND PROJECT HEALTH CARE BENEFITS WORKSHEET

Part I

Medical

Gross monthly medical premiums made by Project
Sponsor at the time of Application: \$ _____

Less

Total monthly medical premiums made by all employees
to health care premium at the time of Application: \$ _____

Equals

Net monthly medical premiums made by Project
Sponsor at the time of Application: \$ _____

Vision

Gross monthly vision premiums made by Project
Sponsor at the time of Application: \$ _____

Less

Total monthly vision premiums made by all employees
to vision premium at the time of Application: \$ _____

Equals

Net monthly vision premiums made by Project
Sponsor at the time of Application: \$ _____

Dental

Gross monthly dental premiums made by Project
Sponsor at the time of Application: \$ _____

Less

Total monthly dental premiums made by all employees
to dental premium at the time of Application: \$ _____

Equals

Net monthly dental premiums made by Project
Sponsor at the time of Application: \$ _____

ATTACHMENT M2

SMALL-ISSUE INDUSTRIAL DEVELOPMENT BOND PROJECT HEALTH CARE BENEFITS WORKSHEET

Part II

Total Monthly Net Medical, Dental, and Vision Costs:

Medical \$ _____

Vision \$ _____

Dental \$ _____

Total \$ _____

Part III

Total monthly net premium/costs: \$ _____

divided by

Total number of employees participating in plan: _____

equals

Total monthly net medical, dental, and vision costs paid per employee:
\$ _____